

REMARKS

In response to the final Office Action of August 23, 2006, applicants ask that all claims be allowed in view of the following remarks.

Claims 1, 2, 5-22, 24-28 and 30-41 are now pending, of which claims 1, 22, and 27 are independent. Claims 1, 2, 5-22, 24-28 and 30-41 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. Publication No. 2003/0097331 (Cohen). Applicants request reconsideration and withdrawal of this rejection because Cohen does not qualify as prior art under 35 U.S.C. § 102(e) and, additionally, because Cohen does not describe or suggest the subject matter of independent claims 1, 22, and 27, as described more fully below.

As an initial matter, applicants submit that Cohen does not qualify as prior art under 35 U.S.C. § 102(e) against the current application. Cohen, which was not filed in the United States until September 18, 2001, is a continuation of PCT/US00/07457 filed on March 20, 2000. Because PCT/US00/07457 was filed prior to November 29, 2000, the current version of 35 U.S.C. § 102(e) is not applicable to Cohen. Rather, Cohen must be considered in accordance with the version of 35 U.S.C. § 102(e) that was in effect on November 28, 2000.¹ Therefore, under the applicable 35 U.S.C. § 102(e) standard, the earliest date on which Cohen could be considered prior art is September 18, 2001 (i.e., the date on which Cohen was filed in the United States). The current application was filed on April 26, 2001, and claims priority from U.S. Provisional Application No. 60/215,083, filed on June 30, 2000, both of which pre-date Cohen's September 18, 2001 earliest effective filing date. As such, applicants submit that Cohen does not qualify as prior art under 35 U.S.C. § 102(e) against the current application. Applicants note that Cohen is a continuation in part of U.S. Pat. Application Serial No. 09/280,483, now U.S. Pat. No. 6,422,462 (the '462 patent). However, the Examiner has not demonstrated that the '462 patent,

¹ For the Examiner's convenience, the version of 35 U.S.C. § 102(e) that was in effect on November 28, 2000 is reproduced below:

A person shall be entitled to a patent unless – . . . (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by applicant for patent.

or any other priority documents, support the portions of the applied Cohen reference relied upon in the current rejection.

Assuming, for the sake of argument only, that Cohen qualifies as prior art against the current application, Cohen does not describe or suggest the subject matter of independent claims 1, 22, and 27. Independent claim 1 recites a method of accessing electronic data from a communications system. The method includes establishing a connection between a client system and a host system using a first account of a user, the first account of the user being maintained by the host system, and determining if one or more additional accounts maintained by the host system are associated with the user. In addition, the method includes initiating a first communication session between the client system and the host system over the connection, the first communication session being associated with the first account of the user, and automatically initiating, over the same connection between the client system and the host system, one or more additional communication sessions between the client system and the host system, the one or more additional communication sessions being associated with the one or more additional accounts associated with the user based on a determination that one or more additional accounts maintained by the host system are associated with the user. The method also includes, for each of the one or more additional accounts, enabling the transfer of electronic data associated with each of the one or more additional accounts to a designated destination in response to automatically initiating the one or more additional communication sessions between the client system and the host system.

Importantly, Cohen does not describe or suggest, automatically initiating, over the same connection between the client system and the host system, one or more additional communication sessions between the client system and the host system, the one or more additional communication sessions being associated with the one or more additional accounts associated with the user, as recited in independent claim 1. Rather, the applied portions of Cohen describe a system for electronic commerce that enables a user of a local computer to create and manage an Internet "webbank™" that, among other features, performs a cross check on the user's credit card activity to ensure that the credit card is being used in accordance with previously specified security authorizations and that provides real-time notifications and periodic statements of the user's financial account activity. See Cohen at Abstract and paragraphs

[0003]-[0005], [0221], [0278], and [0279]. While Cohen describes using the system for electronic commerce to access and manage multiple financial accounts of a user, Cohen does not describe or suggest initiating multiple communication sessions over a single connection to access and manage multiple financial accounts of a user. Instead, Cohen describes a single connection and a single communication session between a user and a “webbankTM” that enables the user to access and manage multiple credit cards and/or multiple bank accounts. As such, Cohen does not describe or suggest automatically initiating, over the same connection between the client system and the host system, one or more additional communication sessions between the client system and the host system, the one or more additional communication sessions being associated with the one or more additional accounts associated with the user, as recited in independent claim 1.

Therefore, for at least these reasons, applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 and its dependent claims 2, 5-21, 28, and 30-41.

Claims 22 and 27 recite features similar to those discussed above with respect to claim 1, and do so in the context of a computer program product (claim 22) and an apparatus (claim 27). Accordingly, for the reasons discussed above with respect to claim 1, applicants request reconsideration and withdrawal of the rejection of independent claims 22 and 27, as well as claims 24-26, which depend from claim 22.

Applicants submit that all claims are in condition for allowance.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.


No fees are believed due. Please apply any charges or credits to Deposit Account No. 06-1050.

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Respectfully submitted,

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